

REMARKS

Claims 1 through 21 were presented for examination in the present application and remain pending upon entry of the instant amendment.

Claims 1 through 21 were provisionally rejected for double patenting in view of U.S. Application Serial No. 10/386,161. Applicant has expressly abandoned the aforementioned '161 application, rendering the double patenting rejection moot. Reconsideration and withdrawal of this rejection are therefore requested.

Claim 11 was rejected under 35 U.S.C. §112, second paragraph. Claim 11 has been amended to provide proper antecedent basis to all claim elements. It is respectfully submitted that this amendment obviates the rejection and merely makes explicit what had been implicit in the claim. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1 through 21 were rejected under 35 U.S.C. §102 over U.S. Patent No. 2,990,087 to Berwin et al. (Berwin). Claims 1 through 21 were rejected under 35 U.S.C. §102 over U.S. Patent No. 2,985,502 to Kronsbein et al. (Kronsbein).

Independent claim 1 has been amended to recite the step of "spraying a dye on a first side of the fabric to minimize overspray of said dye".

In contrast, Berwin discloses a central spray head 25 provided with means to rotate and distribute the spray. From

the sump at the bottom of the tank, the treating solution is withdrawn through pump 27 and discharged under pressure through the spray head 25. The re-circulation of the treating solution through spray head 25 continues for a predetermined time. See col 2, line 55 through col. 3 line 25. Thus, Berwin is unconcerned with over-spray of the dye, as all over-sprayed dye is re-circulated.

Similarly, Kronsbein discloses a tank 1 having a spray nozzle 8 disposed at its upper part. The tank 1 includes a suction pump 6 connected to the lowest part of the tank. The outlet of suction pump 6 is connected to a fluid circulation pipe 7 which, in turn, is connected to spray nozzle 8. Pump 6 operates continually and circulates the dye through pipe 7 directly to spray nozzle 8. See col. 2, lines 25-53. Thus, Kronsbein is also unconcerned with over-spray of the dye, as all over-sprayed dye is re-circulated.

Clearly, spraying to minimize over-spray of the dye as recited by claim 1 is not disclosed or suggested by Berwin or Kronsbein. Claim 1 is therefore believed to be in condition for allowance.

Claims 2 through 11 depend from independent claim 1 and are therefore, believed to be in condition for allowance for at least the reasons set forth above with respect to claim 1. Reconsideration and withdrawal of the rejection to claims 1 through 11 are respectfully requested.

Independent claim 12 has been amended to recite the step of "spraying said first side with a dye so that spraying of said

dye on said carrier is minimized".

Again, Berwin and Kronsbein are unconcerned with over-spray of the dye, as all over-sprayed dye is re-circulated. Clearly, minimizing the spray of dye on the carrier as recited by claim 12 is therefore not disclosed or suggested by Berwin and Kronsbein. Accordingly, claim 12 is believed to be in condition for allowance.

Claims 13 through 21 depend from independent claim 12 and are therefore, believed to be in condition for allowance for at least the reasons set forth above with respect to claim 12. Reconsideration and withdrawal of the rejection to claims 12 through 21 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited. If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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